



General Assembly

February Session, 2016

***Raised Bill No. 5453***

LCO No. 1895



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING SMOKING IN MOTOR VEHICLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:  
2 (1) "Smoke" or "smoking" means the lighting or carrying of a lighted  
3 cigarette, cigar, pipe or similar device; and (2) "minor" means an  
4 individual who is under eighteen years of age.

5 (b) No person shall smoke in a motor vehicle, as defined in section  
6 14-1 of the general statutes, when a minor is present in such vehicle.

7 (c) Any person who violates any provision of subsection (b) of this  
8 section shall have committed an infraction.

9 (d) Smoking in a motor vehicle in violation of this section shall not  
10 constitute probable cause for a law enforcement official to conduct a  
11 search of such vehicle and its contents.

12 Sec. 2. Subsection (b) of section 51-164n of the 2016 supplement to  
13 the general statutes is repealed and the following is substituted in lieu  
14 thereof (*Effective from passage*):

15 (b) Notwithstanding any provision of the general statutes, any  
16 person who is alleged to have committed (1) a violation under the  
17 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
18 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-  
19 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,  
20 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
21 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
22 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
23 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
24 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
25 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
26 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
27 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
28 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
29 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
30 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
31 14-153 or 14-163b, a first violation as specified in subsection (f) of  
32 section 14-164i, section 14-219 as specified in subsection (e) of said  
33 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-  
34 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,  
35 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)  
36 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-  
37 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of  
38 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,  
39 subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or 16a-22,  
40 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,  
41 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,  
42 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-  
43 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,  
44 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297,  
45 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425,  
46 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-324e, 20-  
47 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39, 21-43, 21-  
48 47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19, section 21a-

49 21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26 or  
50 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63  
51 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,  
52 subdivision (1) of subsection (a) of section 21a-159, subsection (a) of  
53 section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-  
54 29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-  
55 39e, 22-49, 22-54, subsection (d) of section 22-84, 22-89, 22-90, 22-98, 22-  
56 99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a,  
57 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-  
58 359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,  
59 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,  
60 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,  
61 section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or  
62 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,  
63 subsection (a) of section 25-43, section 25-43d, 25-135, 26-16, 26-18, 26-  
64 19, 26-21, 26-31, 26-31c, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56,  
65 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section  
66 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91,  
67 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-  
68 132, 26-138 or 26-141, subdivision (2) of subsection (j) of section 26-  
69 142a, subdivision (1) of subsection (b) of section 26-157b, subdivision  
70 (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-224a,  
71 subdivision (1) of section 26-226, section 26-227, 26-230, 26-232, 26-244,  
72 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-  
73 6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or  
74 (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of  
75 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section  
76 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-  
77 11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-  
78 36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,  
79 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,  
80 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,  
81 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-  
82 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,

83 section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-  
84 133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e,  
85 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of  
86 section 53-344b, [or] section 53-450 or section 1 of this act, or (2) a  
87 violation under the provisions of chapter 268, or (3) a violation of any  
88 regulation adopted in accordance with the provisions of section 12-484,  
89 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or  
90 bylaw of any town, city or borough, except violations of building codes  
91 and the health code, for which the penalty exceeds ninety dollars but  
92 does not exceed two hundred fifty dollars, unless such town, city or  
93 borough has established a payment and hearing procedure for such  
94 violation pursuant to section 7-152c, shall follow the procedures set  
95 forth in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	51-164n(b)

***Statement of Purpose:***

To protect children from secondhand smoke while riding in a motor vehicle.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*